

REMARKS

Reconsideration of this application is requested.

Non-elected claims 49-75 have been canceled without prejudice to divisional filing.

The claims pending for consideration are claims 25-30 and 32-48. These claims are thought to be allowable and favorable action thereon is requested.

The at least 90% identity feature of claim 26 has been added to claim 25. Additionally, reference to SEQ ID NO: 10 (as in claim 40) has been added to claim 25 as it is understood from the Examiner's comments at page 3, 2nd ¶ of the action that this sequence will be considered with SEQ ID NO: 1.

The claims have been appropriately amended to obviate the Examiner's rejection under Section 112, 2nd ¶ as set out on pages 5-6 of the action. In particular, the references in the claims to "embryonic" or "PARP-e" have been changed to simply PARP as this is thought to be appropriate. Additionally, claim 31 has been canceled without prejudice. Withdrawal of the Section 112, 2nd ¶ rejection is requested in view of these changes.

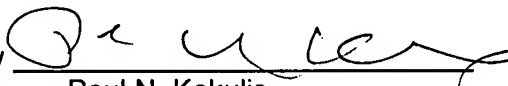
The Examiner is requested to reconsider the Section 112, 1st ¶ rejection of claims 25, 26, 28, 29, 31, 33-39 and 41-48. As indicated, claim 25 has been amended to call for the at least 90% identity feature previously recited in claim 26. The Examiner's position seems to be based on the previous claim language calling for 70% identity or 15 nucleotides common with SEQ ID NO: 1. The applicants do not agree with the Examiner's reasoning or the basis for his rejection. However, it is noted that claim 26 calls for at least 90% identity. The Examiner appears to have overlooked this but, in any case, it is urged that the applicants' disclosure is more than enabling to support the claims as now presented with the at least 90% identity feature of claim 26 added to claim 25. Accordingly, withdrawal of the Section 112, 1st ¶ rejection is requested.

The Examiner is also requested to reconsider and withdraw the Section 102(b) rejection based on Uchida. It is noted that claim 26 was not included in this rejection and, since claim 25 has been amended to include the at least 90% identity feature of claim 26, claim 25, and consequently all of the applicants' other claims, distinguish over Uchida.

Allowance is thought to be in order and is requested.

Respectfully submitted,

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